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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/921,031	08/02/2001	Charles B. Mattas	US010315 (7790/40)	7829

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EXAMINER

VU, DAVID HUNG

ART UNIT	PAPER NUMBER
	2821

DATE MAILED: 05/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/921,031	MATTAS ET AL.
	Examiner David Vu	Art Unit 2821

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) This action is FINAL.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 19-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 19-28,31 and 33-36 is/are rejected.
- 7) Claim(s) 29,30 and 32 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) All b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____.
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.	6) <input type="checkbox"/> Other: _____

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### **Part III DETAILED ACTION**

#### ***Specification***

1. Applicant's cooperation is requested in correcting any other errors of which applicant may become aware in the specification, drawings, and claims.

#### ***Claim Objections***

2. Claim 23 is objected to because of the following informalities: "based" should properly be ---based on--- . Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 19-24,26,34, and 36 are rejected under 35 U.S.C. 102(b) as being anticipated by Bernitz et al, U.S. Pat. No. 5,198,728.

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Bernitz et al. disclose the claimed invention including a voltage sensor R2,R3 for determining a voltage across lamp L; a current sensor R1 for determining a current through the lamp; and a control circuit ST, ADD operatively connected to the current sensor and voltage sensor, the control circuit for approximating a lamp power based on a sum of the lamp voltage and the lamp current, comparing the approximated lamp power Up against a desired level U1, and regulating the power to the lamp based on the comparison, see, for example, all figures, column 2, lines 30+, column 3, lines 36+, columns 5-6.

Regarding claim 24, R1 is connected in series with lamp L.

Regarding claim 26, R2-R3 is a voltage divider network.

Regarding claim 34, comparator circuit IC2-A compares voltage representing the lamp power to a reference U1.

The claim method is inherent in the Bernitz et al reference.

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

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the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bernitz et al. in view of Zawislak U.S. Pat. No. 5,691,607.

Bernitz et al as discussed from the above, essentially disclose the claimed invention but fail to explicitly disclose a “signal conditioning circuit”. Zawislak discloses “signal conditioning circuit” 96 (figure 3 ). An obvious modification would have provided the Bernitz et al. reference with the “signal conditioning circuit” as taught by Zawislak. It would have been obvious to one having ordinary skill in the art at the time of applicant's claimed invention was made to have provided the Bernitz et al. reference with the “signal conditioning circuit” as it would have provided the lamp circuit with means for scaling and filtering the output from the current sensor.

7. Claims 27-28 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bernitz et al.

Bernitz et al as discussed from the above, essentially disclose the claimed invention but fail to explicitly disclose a voltage limiting network and a voltage reference signal generator. However, voltage limiting network was a well known device in the lighting art; thus, one of ordinary skill in the art would have been motivated to have

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employed the voltage limiting network so as to limit a voltage surge in the lamp circuit.

Voltage reference signal generator also was a well known device in the lighting art; thus, one of ordinary skill in the art would have been motivated to have employed the generator in order to have generated reference voltages.

Regarding claim 28, since the Bernitz et al reference does teach the summing of voltages at node C (figure 2), one of ordinary skill in the lighting art would have been motivated to have employed a "summing circuit" so as to approximate lamp power.

8. Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bernitz et al. in view of publication RD 327100.

Bernitz et al as discussed from the above, essentially disclose the claimed invention but fail to explicitly disclose a current limiting component shunted by an electronic switch in series with the lamp. Publication RD 327100 discloses current limiting component Z shunted by an electronic switch T in series with the lamp. Thus, it would have been obvious to one having ordinary skill in the art at the time of applicant's claimed invention was made to have provided the Bernitz et al. reference with the current limiting component Z shunted by an electronic switch T as it would have provided the lamp circuit a means for preventing lamp flickering.

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9. Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bernitz et al. in view of Mays, U.S. Pat. No. 4,590,408.

Bernitz et al as discussed from the above, essentially disclose the claimed invention but fail to explicitly disclose the comparator circuit controls an electronic switch through an electrically isolated coupler. Mays discloses comparator circuit 130 controls an electronic switch 120 through an electrically isolated coupler 138. Thus, it would have been obvious to one having ordinary skill in the art at the time of applicant's claimed invention was made to have provided the Bernitz et al. reference with the electronic switch being controlled by the comparator through an electrically isolated coupler so as to regulate power to the lamp.

***Allowable Subject Matter***

10. Claims 29-30,32, are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Response to Arguments***

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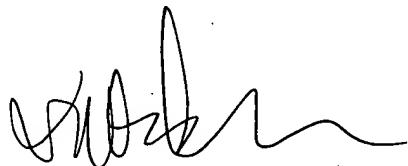
11. Applicant's arguments with respect to claims 1-36 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Vu whose telephone number is (703) 305-6077.

13. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0956.

14. Papers related to Technology Center 2800 applications **only** may be submitted to Technology Center 2800 by facsimile transmission. Any transmission not to be considered an official response must be clearly marked "DRAFT". The faxing of such papers must conform with the notice published in the Official Gazette, 1096 OG 30 (November 15, 1989). The Technology Center Fax Center number is (703) 308-7722 or (703) 308-7724.



dv

**DAVID VU**  
**PRIMARY EXAMINER**

May 5, 2003